

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHAWN M. RHODES,

Plaintiff,

v.

JACOB WEST,

Defendant.

Case No. 1:21-cv-995

HONORABLE PAUL L. MALONEY

/

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff initiated his lawsuit on November 23, 2021. On November 30, 2021, the Magistrate Judge issued a Report and Recommendation, recommending that the action be dismissed upon initial screening pursuant to 28 U.S.C. § 1915(e)(2). The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF. No. 5) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Complaint is DISMISSED for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199,

206, 211-12 (2007). Should Plaintiff appeal this decision, the \$505.00 appellate filing fee pursuant to Section 1915(b)(1) will be assessed. *See id.*

A Judgment will be entered consistent with this Order.

Dated: December 30, 2021

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge